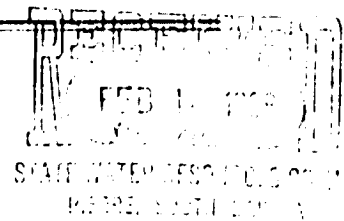


1508-3

1. Considered 3-20, 1968
2. Name of Applicant WILLIAM FAYLIS
3. Post Office Address LAKE ANDES
4. Amount of water claimed 2.85
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 200
7. Water to be diverted and used in CHAS MIX county  
about 6W 4S miles          of LAKE ANDES.
8. Proof of Publication Received ✓  
Not received
9. Application Approved           
Subject to           
Not Approved           
Action deferred

10. Remarks:

No. **1508.3**Water Division No. **3 MISSOURI RIVER** District  
(Blanks to be filled by the Engineer for the W. R. C.)

## APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant William Parlis  
Postoffice address Lake Francis, County Charles Mix, State SD

~~I. If a corporation~~

- ~~(a) Name of same~~  
~~(b) Date and place of incorporation~~  
~~(c) Amount of capital stock~~  
~~(d) Amount paid in~~  
~~(e) Names and addresses of directors~~

(NOTE—A certified copy of articles of incorporation must accompany the application.)

## II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Contract to Labor

- (b) Cash on hand, \$
- adequate
- (c) Treasury stock \$ \_\_\_\_\_

- (d) Bonds to be issued, \$ \_\_\_\_\_ (e) Other resources, \$ \_\_\_\_\_

2. Name of diversion work Parlis Irrigation Project  
3. Amount of water claimed 2.857 cubic feet per second  
4. Source of water supply Lake Francis, Cass  
5. Location of point of diversion No 1 - 2640' N + 1600' - 40' - SW 1/4 - No 2 - 3630' S + 1310' E of NE Corner Sec 32 - T 26 N R 66 E  
on North bank Charles Mix County.  
6. Annual period or periods during which water is to be used April 1st to Nov 1st  
7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity

- (a) Number of acres to be irrigated
- 200
- acres

120 Acres in SE 1/4 Sec 29, 40 Acres NE 1/4 of NW 1/4 Sec 32, 40 Acres in NW 1/4 of NW 1/4

- (b) Legal subdivisions to be irrigated
- Sec 32 - T 26 N R 66 E

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.) \_\_\_\_\_

## II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

- (a) Nature of use \_\_\_\_\_ Name any of the above uses claimed

- (b) Amount of power to be generated \_\_\_\_\_ horse power.

Amount claimed for engine cooling \_\_\_\_\_

- (c) Location of plant \_\_\_\_\_

- (d) Method of developing power \_\_\_\_\_

- (e) Point where water will be returned to stream \_\_\_\_\_

Map No 1093.3

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$2400.....  
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....  
 (e) Other structures ..... \$..... 'Total, \$.....

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

Pumping Plant

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....  
 material used in construction.....  
 (b) Reservoir: Capacity when filled.....acre feet. Surface area at highwater mark.....acres.

| DEPTH AT<br>OUTLET FEET | SURFACE AREA AT EACH<br>DEPTH AT OUTLET--ACRES | FEET | ACRE-FOOT<br>CAPACITY |
|-------------------------|------------------------------------------------|------|-----------------------|
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |

(c)\* Head gate: Width.....feet; height.....feet;  
 Material.....  
 (d) Canal: Total length.....miles.

| LOCATION BELOW<br>HEADGATE                      | DEPTH | BOTTOM<br>WIDTH | WIDTH AT<br>WATER-LINE | GRADE<br>PER MILE |
|-------------------------------------------------|-------|-----------------|------------------------|-------------------|
| At.....Mile.....feet.....feet.....feet.....feet |       |                 |                        |                   |
| At.....Mile.....feet.....feet.....feet.....feet |       |                 |                        |                   |
| At.....Mile.....feet.....feet.....feet.....feet |       |                 |                        |                   |
| At.....Mile.....feet.....feet.....feet.....feet |       |                 |                        |                   |
| At.....Mile.....feet.....feet.....feet.....feet |       |                 |                        |                   |
| At.....Mile.....feet.....feet.....feet.....feet |       |                 |                        |                   |

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....3.....years.  
 11. Time required for complete application of water to the proposed beneficial use.....5.....years.  
 12. Choice of newspaper for publication of notice of intention to appropriate.....Lake Andes View.....Lake Andes SD.....

STATE OF SOUTH DAKOTA

County of.....} ss.

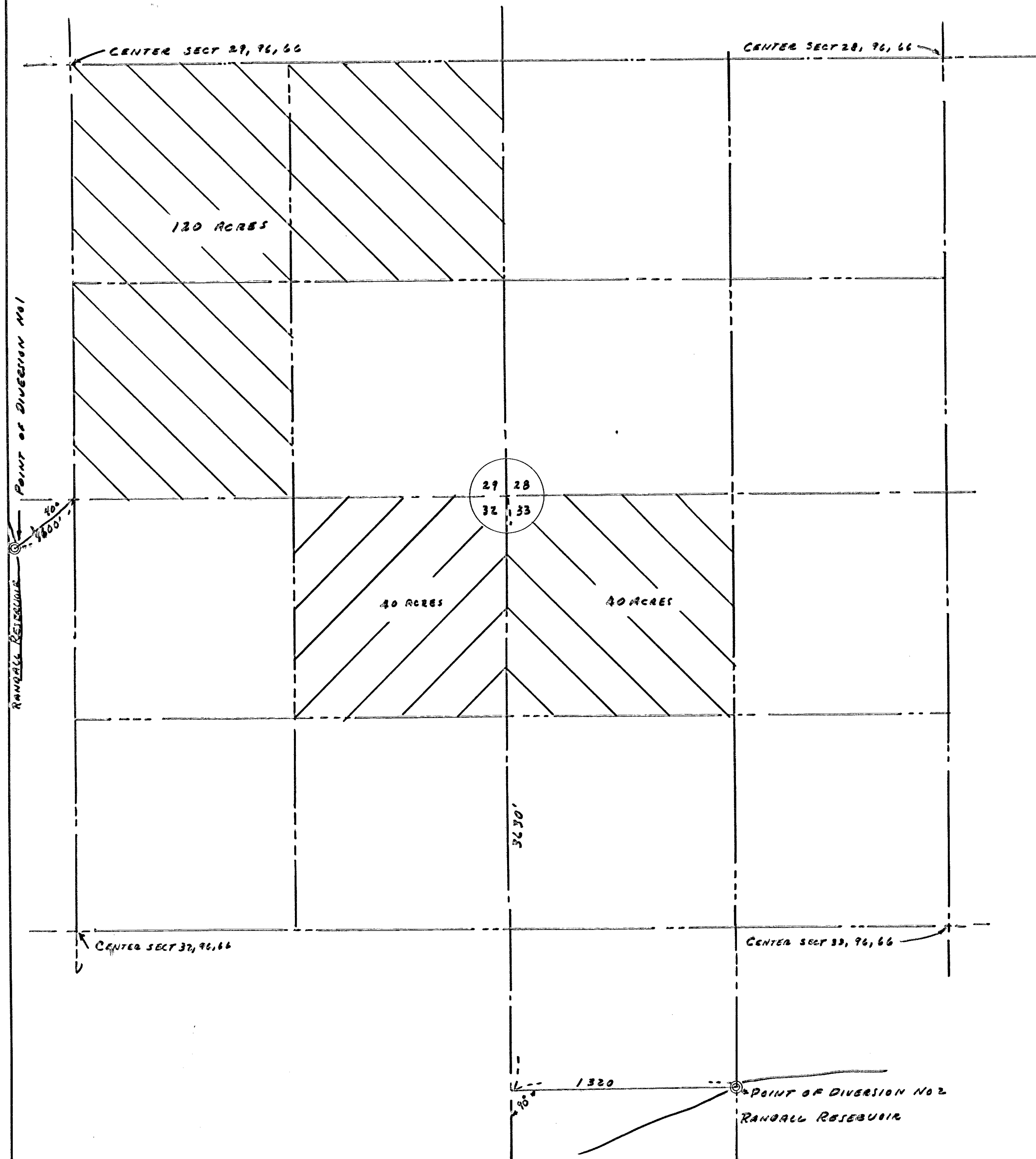
I, William Paulsen, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed William Paulsen

Subscribed and sworn to before me this 13<sup>th</sup> day of February 1968

Michael Eaton  
 Notary Public (or other qualified officer.)

\*Each diversion must have a headgate or measuring device.



# AREAS BY LEGAL SUBDIVISION

| AREA      | SECTION           | TOWNSHIP | RANGE |
|-----------|-------------------|----------|-------|
| 120 ACRES | SE 1/4-29         | 96       | 66    |
| 40 ACRES  | NE 1/4, NE 1/4-32 | 96       | 66    |
| 40 ACRES  | NW 1/4, NW 1/4-33 | 96       | 66    |
| 200 ACRES | TOTAL             |          |       |

## SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA )  
COUNTY OF BEADLE )  
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR  
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY  
CERTIFY THAT AT THE REQUEST OF, WILLIAM PAULIS,  
SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED  
WITHIN HIS OWNERSHIP BOUNDARIES ON FEB 1, 1968 FOR WHICH APPLICATION  
FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP  
IS A TRUE REPRESENTATION THERE OF.

WITNESS MY HAND AND SEAL THIS 1ST DAY OF FEB 1968

Harlan W. Meyer  
REG. LAND SURVEYOR

STATE OF SOUTH DAKOTA )  
COUNTY OF BEADLE )  
SUBSCRIBED AND SWORN TO BEFORE ME THIS 1ST DAY  
OF FEB 1968

Carrie Johnson  
NOTARY PUBLIC  
MY COMMISSION EXPIRES MARCH 10, 1972

SCALE 1"=400'

WILLIAM PAULIS IRRIGATION PROJECT NO. 1  
SHOWING AREA TO BE IRRIGATED AND DIVERSION POINTS  
WHERE WATER WILL BE DIVERTED FOR PERMIT TO APPROPRIATE  
WATER

OWNER WILLIAM PAULIS  
SURVEYOR HARLAN W. MEYER  
FEB 1968

MAP NO 1093-3 (APPL NO 1503-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA  
County of HUGHES } ss

Pierre, South Dakota, MARCH 25, 1968

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock  
A.m. upon the 14<sup>TH</sup> day of FEBRUARY, 1968

State Water Resources Commission

By:

for Chief Engineer, Executive Officer

Number of permit 1508-3

Date of first receipt of application FEBRUARY 14, 1968

Date of return to applicant for correction, amendments or changes required as follows: \_\_\_\_\_, 19\_\_\_\_

Date of receipt of corrected application \_\_\_\_\_, 19\_\_\_\_

Date from which applicant may claim right FEBRUARY 14, 1968

Approved MARCH 20, 1968 Recorded in Book 10 Page 125

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before \_\_\_\_\_

SEPTEMBER 20, 1969

2nd. The whole of said work is to be completed on or before MARCH 20, 1971

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

MARCH 20, 1973

4th. The water appropriated shall be used for the purpose of IRRIGATION

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 2.85 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before MARCH 20, 1973; said water to be used during the following described annual period:

APRIL 1 TO NOVEMBER 1  
Witness my hand this 25<sup>TH</sup> day of MARCH, 1968

State Water Resources Commission

By:

for Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 28, 1970

Water License Issued OCTOBER 28, 1970

Form 15.

Permit No. 1508-3

Water Diversion No. 3 MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That William Pavlis

\_\_\_\_\_ the holder \_\_\_\_\_ of  
Permit No. 1508-3, issued upon Application No. 1508-3, bearing date of priority of February 14, 1968  
\_\_\_\_\_ authorizing the diversion of 2.85 cu. ft. per second of the waters of \_\_\_\_\_  
the Missouri River County of Charles Mix, State of South Dakota at \_\_\_\_\_  
a point 4200' due south of the NW Corner, Section 33, T96N, R66W

\_\_\_\_\_ for irrigation

\_\_\_\_\_ purposes, has \_\_\_\_\_ complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 2.9 cu. ft. per second of water.

Date October 28, 1970

WATER RESOURCES COMMISSION

By:

J. W. GRIMES, Executive Officer

## STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 1508-3

(1) WHEREAS, On the 14th day of February A. D. 19 68  
William Pavlis

made Water Right Application No. 1508-3 for a permit to use 2.85 cubic feet per second of the waters of the Missouri River

County of Charles Mix, State of South Dakota, for irrigation

\_\_\_\_\_ purposes; and

(2) WHEREAS, On the 25th day of March A. D. 19 68

Permit No. 1508-3, with a date of priority of February 14, 1968

was issued to said applicant \_\_\_\_\_ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 20th day of March A. D. 19 71 and for the application to beneficial use of said water on or before the 20th day of March A. D. 19 73

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 2.57 cubic feet per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

for irrigating the following land in T96N, R66W

|                   |                            |                 |
|-------------------|----------------------------|-----------------|
| <u>Section 29</u> | <u>SW 1/4 SE 1/4</u>       | <u>40 acres</u> |
|                   | <u>S 3/4 NW 1/4 SE 1/4</u> | <u>30 acres</u> |
|                   | <u>S 3/4 NE 1/4 SE 1/4</u> | <u>30 acres</u> |
| <u>Section 32</u> | <u>NE 1/4 NE 1/4</u>       | <u>40 acres</u> |
| <u>Section 33</u> | <u>NW 1/4 NW 1/4</u>       | <u>40 acres</u> |

Total 180 Acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to William Pavlar

\_\_\_\_\_ of Lake Andes, S.D.

the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 1508-3 a water right, dating from February 14, 1968  
\_\_\_\_\_ to use of 2.57 cubic feet per second of the waters

of the Missouri River

in the County of Charles Mix and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 4200' due South of the NW Corner, Section 33, T96N, R66W

and conduct to and upon portions of Sections 29, 32 and 33, T96N, R66W, described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1508-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota  
this 28th day of October A. D.  
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

\_\_\_\_\_  
Chief Engineer, Executive Officer, J.W. GRIMES

on or before  
(First Publication February 22, 1968)

## APPROPRIATION OF WATER

Office of State Water Resources Commission.

Pierre, S. Dak., February 14, 1968

Notice is hereby given that William Pavlis whose postoffice address is Lake Andes S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.65 cubic feet of water per second of time from the Missouri River through the Pavlis Irrigation Project, the point of diversion of which is to be located on the left bank of said stream, in the NW 1/4 of the SW 1/4 of Section 33 Twp. 96N Range 66W. Said water to be used for the purpose of providing irrigation on the following described land:  
N 1/2 SE 1/4, SW 1/4 SE 1/4, Section 29; NE 1/4 NE 1/4, Section 32, NW 1/4 NW 1/4, Section 33, T96N, R66W.

XXXXXX

XXXXXX

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 20th day of March 1968, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

cc: William Pavlis, Lake Andes, S.D.

State Water Resources Commission

By:

~~Chief Engineer, Executive Officer~~

BURTON F. JONES

Water Rights Specialist

# AFFIDAVIT OF PUBLICATION

State of South Dakota  
County of Charles Mix

ss

William Pavlis Being first duly sworn,  
says that the Lake Andes Wave is a legal, weekly newspaper for  
publication of legal and other official notices as required by  
Chapter 298 of the Session Laws of South Dakota, 1939; that it  
has a bona fide paid circulation of more than two hundred copies  
weekly; that it is published in English language in the City of  
Lake Andes, Charles Mix County, South Dakota, and has been  
admitted to the United States mail under second class mailing  
privilege for more than one year prior to the first publication of  
the notice herein mentioned, and that it is printed in an office  
maintained at the place of publication at Lake Andes, South  
Dakota, and that deponent is publisher in charge of the advertis-  
ing department of said newspaper; that the advertisement

headed Appropriation

of water

a printed copy of which is hereto attached, was printed and pub-  
lished in said newspaper for ..... successive weeks, upon the  
following dates:

|               |              |       |         |
|---------------|--------------|-------|---------|
| <u>Feb 21</u> | 19 <u>68</u> | ..... | 19..... |
| <u>Feb 28</u> | 19 <u>68</u> | ..... | 19..... |
| <u>Mar 6</u>  | 19 <u>68</u> | ..... | 19..... |
| <u>Mar 13</u> | 19 <u>68</u> | ..... | 19..... |

That the full amount of the fee charged for the publication of  
said notice, \$12.00, inures to the benefit of the publication  
of said newspaper, that no agreement or understanding for the  
division thereof has been made with any other person, and that  
no part has been agreed to be paid to any person whomsoever.

William Pavlis

Subscribed and sworn to before me

this 13 day of March, 1968

E. E. Palmer

Notary Public, South Dakota

My Commission expires Jan 1, 1972, 19.....?

## APPROPRIATION OF WATER

Office of State Water Resources  
Commission, Pierre, S. Dak., Febru-  
ary 14, 1968.

Notice is hereby given that William  
Pavlis whose postoffice address is  
Lake Andes, S. Dak., has made an  
application in accordance with the  
provisions of the water laws of South  
Dakota for a permit to appropriate  
for beneficial use 2.85 cubic feet of  
water per second of time from the  
Missouri River through the Pavlis  
Irrigation Project, the point of diver-  
sion of which is to be located on the  
left bank of said stream at points  
in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 32, and in  
the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 33,  
Twp. 96N, Range 66W. Said water  
to be used for the purpose of pro-  
viding irrigation on the following  
described land:

N $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 29;  
NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 32, NW $\frac{1}{4}$ NW $\frac{1}{4}$   
Section 33, T96N, R66W.

This application will be taken up  
by the State Water Resources Com-  
mission at their office at Pierre for  
consideration upon the 20th day of  
March, 1968, at 2:00 p.m. All interest-  
ed persons may appear and be heard.

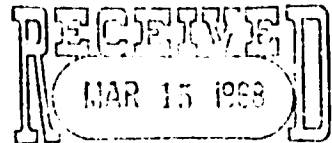
Appropriate action will be taken  
by the Water Resources Commission  
after suitable time has elapsed for  
the consideration of any or all infor-  
mation presented.

State Water Resources Commission

By: BUREAU F. JONES

Water Rights Specialist

Feb. 21-28-Mar. 6-13



STATE WATER RESOURCES COMM  
PIERRE, SOUTH DAKOTA

DEPARTMENT OF THE ARMY  
EASEMENT FOR RIGHT OF WAY  
(PIPELINE)

ON FORT RANDALL DAM, LAKE FRANCIS CASE PROJECT, SOUTH DAKOTA

No. DACW 45-2-68-5201

THE SECRETARY OF THE ARMY, under and by virtue of the authority vested in him by Title 10, United States Code, Section 2669, hereby grants to

Baulah Turgeon

Rosebud, South Dakota

hereinafter designated as the grantee, for a period not exceeding twenty-five ( 25 ) years from the date hereof, an easement for a right of way for the installation, operation and maintenance of a portable irrigation water pipeline and portable pump unit

over, across, in, and upon land under the control of the Secretary of the Army at the location shown in red on Exhibit "A" entitled Fort Randall Reservoir, Segment B attached hereto and made a part hereof, and described as follows:

A parcel of land 66 feet wide in Lot 1, Section 32, Township 96 North, Range 66 West of the 5th Principal Meridian, Charles Mix County, South Dakota, lying 33 feet on each side of the following described line; commencing at the Northeast corner of said Lot 1, thence south along the east line of said Lot 1 for a distance of 300 feet to the point of beginning; thence South 45° 00' West to the shoreline of Lake Francis Case. Contains 0.50 acres, more or less.

THIS EASEMENT is granted subject to the following conditions:

1. The grantee shall pay to the United States compensation in the amount of

Fifty and no/100 Dollars. (\$ 50.00 )  
for the term, payable in advance. Compensation shall be made payable to the Treasurer of the United States and forwarded by the grantee to the District Engineer, Omaha District, Corps of Engineers, 6012 U. S. Post Office and Courthouse, Omaha, Nebraska 68102.

2. The installation and/or operation and maintenance of said line shall be accomplished without cost or expense to the United States under the general supervision and subject to the approval of the officer having immediate jurisdiction over the property, hereinafter designated as "said officer", and in such manner as not to endanger personnel or property of the United States on the said United States land or obstruct travel on any road thereon. The grantee shall have the right of ingress and egress for such purposes.

3. The use and occupation of said land incident to the exercise of the privileges hereby granted shall be subject to such rules and regulations as the said officer may from time to time prescribe.

4. The grantee shall supervise the said line and cause it to be inspected at reasonable intervals, and shall immediately repair any leaks found therein as a result of such inspection, or when requested by said officer to repair any defects. Upon completion of the installation of said line and the making of any repairs thereto, the premises shall be restored immediately by the grantee, at the grantee's own expense, to the same condition as that in which they existed prior to the commencement of such work, to the satisfaction of the said officer.

5. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises, shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer or in lieu of such repair or replacement the grantee shall, if so required by the said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.

6. The United States reserves to itself the right to construct, use, and maintain across, over, and/or under the right of way hereby granted, electric transmission, telephone, telegraph, water, gas, gasoline, oil and sewer lines, and other facilities, in such manner as not to create any unreasonable interference with the use of the right of way herein granted.

7. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, nor for damages to the property of the grantee, or for injuries to the person of the grantee (if an individual), nor for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to government activities, and the grantee shall hold the United States harmless from any and all such claims.

8. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the construction, maintenance, and use of said line.

9. That the grantee shall furnish through said line such service as may be required from time to time for governmental purposes on said land, provided that payment for such service will be made by the United States at rates which shall be mutually agreeable but which shall never exceed the most favorable rates granted by the grantee for similar service.

10. In the event all or any portion of said land occupied by said line shall be needed by the United States, or in the event the existence of said line shall be considered detrimental to governmental activities, the grantee shall, from time to time, upon notice so to do, and as often as so notified, remove said line and related facilities to such other location or locations on said land as may be designated by said officer, and, in the event said line shall not be removed or relocated within ninety (90) days after any aforesaid notice, the United States may cause the same to be done at the expense of the grantee.

11. This easement may be terminated by the Secretary of the Army upon a reasonable notice to the grantee if the Secretary of the Army shall determine that the right of way hereby granted interferes with the use or disposal of said land or any part thereof by the United States, or it may be terminated by the Secretary of the Army for failure, neglect, or refusal by the grantee fully and promptly to comply with any and all of the conditions of this grant, or for non-use, or for abandonment.

12. Upon the expiration or termination of this grant, the grantee shall, without expense to the United States, and within such time as the Secretary of the Army may indicate, remove the said line from said land and restore the premises hereby authorized to be used and occupied to a condition satisfactory to the said officer. In the event the grantee shall fail, neglect, or refuse to remove the said line and so restore the premises, the United States shall have the option either to take over the said line as the property of the United States, without compensation therefor, or to remove the said line and perform the restoration work as aforesaid at the expense of the grantee, and in no event shall the grantee have any claim for damages against the United States or its officers or agents, on account of the taking over of said line or on account of its removal.

13. The conditions of this instrument shall extend to and be binding upon and shall inure to the benefit of the heirs, representatives, successors, and assigns of the grantee.

14. That it is understood that this instrument is effective only insofar as the rights of the United States in the said property are concerned; and that the grantee shall obtain such permission as may be necessary on account of any other existing rights.

15. That the grantee shall not discharge waste or effluent from the granted property in such manner as to contaminate streams or other bodies of water or otherwise become a public nuisance.

16. That this easement and right of way for a water pipeline and pumping plant is granted for the exercise of established water rights. It is understood and agreed that no right to use water from the reservoir is created by this grant. It is further understood by the grantee that the granting of this easement does not preclude the Secretary of the Interior from requiring the grantee to enter into an appropriate water service contract in consideration of such irrigation benefits as may, in the opinion of the Secretary of the Interior, be derived from the withdrawal of irrigation water from the reservoir.

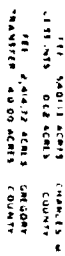
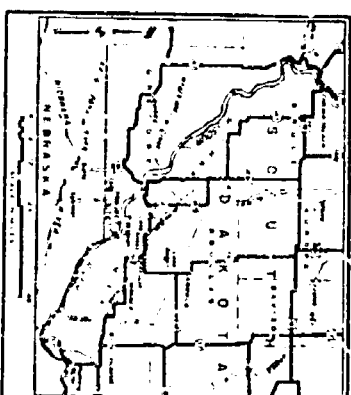
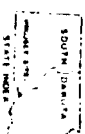
Prior to the execution of this easement, Conditions Nos. 15 and 16 were added.

This easement is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF I have hereunto set my hand this 27th  
day of June 19 63

/s/ Dale Kent

DALE KENT  
Chief, Real Estate Division  
Omaha District, Corps of Engineers



| PRELIMINARY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>PROJECT MAP</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| AGENCY: DEPT OF THE ARMY<br>STATE: SOUTH DAKOTA<br>COUNTY: BURLINGTON & GREGORY<br>DIVISION: MISSOURI RIVER<br>DISTRICT: OMAHA<br>MAP SHEET: FIFTH                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| <b>LOCATION OF PROJECT</b><br>7 MILES SW OF LANDS AND C<br>13 MILES NE OF FAIRFAX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
| <b>TRANSPORTATION FACILITIES</b><br>ROADWAY: STATE HIGHWAY 1<br>HIGHWAY: U.S. HIGHWAY 1<br>RAILROAD: BURLINGTON<br>AIRPORT: FAIRFAX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| <b>ACQUISITION</b><br>TOTAL ACRES ACQUIRED:<br>ACRES PM:<br>ACRES TRANSFERRED:<br>ACRES LEASE:<br>ACRES OTHER ACQUISITION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| <b>DISPOSAL</b><br>TOTAL ACRES DISPOSED:<br>ACRES SOLD:<br>ACRES TRANSFERRED:<br>ACRES EXCHANGED:<br>ACRES GIFTED:<br>ACRES OTHER DISPOSAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| <b>LEGEND</b><br>1. ACQUISITION OF LAND<br>2. DISPOSAL OF LAND<br>3. ACQUISITION OF INTEREST<br>4. DISPOSAL OF INTEREST<br>5. ACQUISITION OF EASE<br>6. DISPOSAL OF EASE<br>7. ACQUISITION OF RIGHT-OF-WAY<br>8. DISPOSAL OF RIGHT-OF-WAY<br>9. ACQUISITION OF OTHER INTEREST<br>10. DISPOSAL OF OTHER INTEREST<br>11. ACQUISITION OF OTHER EASE<br>12. DISPOSAL OF OTHER EASE<br>13. ACQUISITION OF OTHER RIGHT-OF-WAY<br>14. DISPOSAL OF OTHER RIGHT-OF-WAY<br>15. ACQUISITION OF OTHER INTEREST<br>16. DISPOSAL OF OTHER INTEREST<br>17. ACQUISITION OF OTHER EASE<br>18. DISPOSAL OF OTHER EASE<br>19. ACQUISITION OF OTHER RIGHT-OF-WAY<br>20. DISPOSAL OF OTHER RIGHT-OF-WAY |  |

1

DEPARTMENT OF THE ARMY  
EASEMENT FOR RIGHT OF WAY  
(PIPELINE)

ON ~~FOR RANDALL DAM, LAKE FRANCIS CASE PROJECT, SOUTH DAKOTA~~.....

No. DACH45-2-69-6054

THE SECRETARY OF THE ARMY, under and by virtue of the authority vested in him by Title 10, United States Code, Section 2663, hereby grants to

William Pavlis

Lake Andes, South Dakota  
hereinafter designated as the grantee, for a period not exceeding <sup>Coextensive with State Water</sup> ~~( )~~ years from the date hereof, an easement for a right of way for <sup>Permit No. 1508-3</sup> ~~the installation,~~  
~~operation and maintenance of a portable irrigation pipeline and portable~~  
pump unit

over, across, in, and upon land under the control of the Secretary of the Army at the location shown in red on Exhibit "A" entitled Fort Randall Reservoir, Segment B attached hereto and made a part hereof, and described as follows:

A parcel of land 50 feet wide in the E<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Section 32, Township 96 North, Range 66 West of the 6th Principal Meridian, Charles Mix County, South Dakota, lying 25 feet on each side of the following described line; commencing at the Northwest corner of the NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of said Section 32; thence East along the North line of said NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> for a distance of 25 feet to the point of beginning; thence South parallel to the West line of said E<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> to the shoreline of Lake Francis Case, containing 1.66 acres, more or less.

THIS EASEMENT is granted subject to the following conditions:

1. The grantee shall pay to the United States compensation in the amount of Ninety and 10/100 dollars - <sup>( \$ 90.00 )</sup> in advance. Compensation shall be made payable to the Treasurer of the United States and forwarded by the grantee to the District Engineer, Omaha District, Corps of Engineers, 7410 U. S. Post Office & Court House, Omaha, Nebraska 68102

2. The installation and/or operation and maintenance of said line shall be accomplished without cost or expense to the United States under the general supervision and subject to the approval of the officer having immediate jurisdiction over the property, hereinafter designated as "said officer", and in such manner as not to endanger personnel or property of the United States on the said United States land or obstruct travel on any road thereon. The grantee shall have the right of ingress and egress for such purposes.
3. The use and occupation of said land incident to the exercise of the privileges hereby granted shall be subject to such rules and regulations as the said officer may from time to time prescribe.
4. The grantee shall supervise the said line and cause it to be inspected at reasonable intervals, and shall immediately repair any leaks found therein as a result of such inspection, or when requested by said officer to repair any defects. Upon completion of the installation of said line and the making of any repairs thereto, the premises shall be restored immediately by the grantee, at the grantee's own expense, to the same condition as that in which they existed prior to the commencement of such work, to the satisfaction of the said officer.
5. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises, shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer or in lieu of such repair or replacement the grantee shall, if so required by the said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.
6. The United States reserves to itself the right to construct, use, and maintain across, over, and/or under the right of way hereby granted, electric transmission, telephone, telegraph, water, gas, gasoline, oil and sewer lines, and other facilities, in such manner as not to create any unreasonable interference with the use of the right of way herein granted.
7. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, nor for damages to the property of the grantee or for injuries to the person of the grantee (if an individual), nor for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to government activities, and the grantee shall hold the United States harmless from any and all such claims.
8. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the construction, maintenance, and use of said line.
9. That the grantee shall furnish through said line such service as may be required from time to time for governmental purposes on said land, provided that payment for such service will be made by the United States at rates which shall be mutually agreeable but which shall never exceed the most favorable rates granted by the grantee for similar service.
10. In the event all or any portion of said land occupied by said line shall be needed by the United States, or in the event the existence of said line shall be considered detrimental to governmental activities, the grantee shall, from time to time, upon notice so to do, and as often as so notified, remove said line and related facilities to such other location or locations on said land as may be designated by said officer, and, in the event said line shall not be removed or relocated within ninety (90) days after any aforesaid notice, the United States may cause the same to be done at the expense of the grantee.

11. This easement may be terminated by the Secretary of the Army upon a reasonable notice to the grantee if the Secretary of the Army shall determine that the right of way hereby granted interferes with the use or disposal of said land or any part thereof by the United States, or it may be terminated by the Secretary of the Army for failure, neglect, or refusal by the grantee fully and promptly to comply with any and all of the conditions of this grant, or for nonuse, or for abandonment.

12. Upon the expiration or termination of this grant, the grantee shall, without expense to the United States, and within such time as the Secretary of the Army may indicate, remove the said line from said land and restore the premises hereby authorized to be used and occupied to a condition satisfactory to the said officer. In the event the grantee shall fail, neglect, or refuse to remove the said line and so restore the premises, the United States shall have the option either to take over the said line as the property of the United States, without compensation therefor, or to remove the said line and perform the restoration work as aforesaid at the expense of the grantee, and in no event shall the grantee have any claim for damages against the United States or its officers or agents, on account of the taking over of said line or on account of its removal.

13. The conditions of this instrument shall extend to and be binding upon and shall inure to the benefit of the heirs, representatives, successors, and assigns of the grantee.

14. That it is understood that this instrument is effective only insofar as the rights of the United States in the said property are concerned; and that the grantee shall obtain such permission as may be necessary on account of any other existing rights.

15. That the grantee shall not discharge waste or effluent from the granted property in such manner that such discharge will contaminate streams or other bodies of water or otherwise become a public nuisance.

16. That this easement and right of way for a water pipeline and pumping plant is granted for the exercise of water rights granted by the State of South Dakota. It is understood and agreed that no right to use water from the reservoir is created by this grant. It is further understood by the grantee that the granting of this easement does not preclude the Secretary of the Interior from requiring the grantee to enter into an appropriate water service contract in consideration of such irrigation benefits as may, in the opinion of the Secretary of the Interior, be derived from the withdrawal of irrigation water from the reservoir.

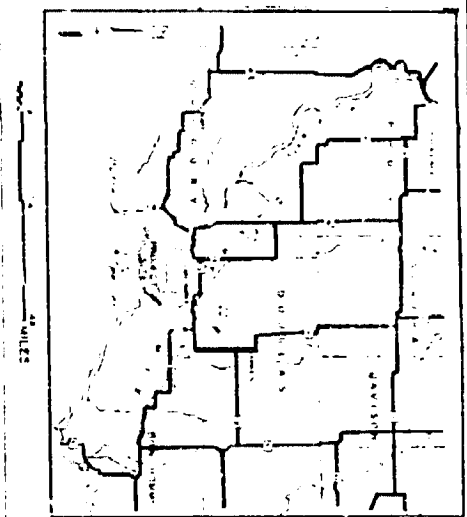
17. That this grant is subject and subordinate to License No. DA-25-066-CIVENG-55-425 heretofore issued to the State of South Dakota, Department of Game, Fish and Parks, and in the event all or any portion of said land occupied by said line, shall be needed by the said State, or in the event the existence of said line shall be considered detrimental to activities of the State thereunder, grantee at his sole expense shall remove said line and related facilities as may be required.

Prior to execution of this easement, Conditions Nos. 15, 16 and 17 were added.  
This easement is not subject to Title 10, United States Code, Section 2692.

IN WITNESS WHEREOF I have hereunto set my hand this 25th  
day of April 19 69

DALE KENT  
Chief, Real Estate Division  
8 Omaha District, Corps of Engineers





STATE INDEX

# ACQUISITION TRACT REGISTER

| TRACT | LAND OWNER            | ACRES | LAND OWNER            | ACRES |
|-------|-----------------------|-------|-----------------------|-------|
| 1     | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 2     | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 3     | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 4     | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 5     | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 6     | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 7     | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 8     | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 9     | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 10    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 11    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 12    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 13    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 14    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 15    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 16    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 17    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 18    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 19    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
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| 21    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 22    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 23    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 24    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 25    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 26    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 27    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 28    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 29    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 30    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 31    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 32    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 33    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 34    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 35    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 36    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 37    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 38    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 39    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 40    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 41    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 42    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 43    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 44    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 45    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 46    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 47    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 48    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 49    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |
| 50    | State of South Dakota | 12.57 | State of South Dakota | 12.57 |

PRELIMINARY PROJECT MAP  
 AC 11 - DEPT OF THE ARMY  
 STATE SOUTH DAKOTA  
 COUNTY CHARLES MIX & GREGORY  
 DIVISION MISSOURI RIVER  
 DISTRICT OMAHA  
 LOCATION OF PROJECT  
 7 MILES S.W. OF LAKE ANDES S.D.  
 13 MILES N.E. OF FAIRFAX S.D.

— LAND AREA —  
 TOTAL ACRES IN PROJECT  
 ACRES FEE  
 ACRES EASEMENT  
 ACRES TRANSFERRED TO W.D.  
 ACRES PERMITS OR LICENSES

— DISPOSALS —  
 TOTAL ACRES DISPOSED OF  
 ACRES TRANSFERRED  
 ACRES LEASED FROM W.D.  
 ACRES C.F.P. WIS.

## — LEGEND —

TRAILING LINE FOR DAM SITE  
 TRAILING LINE FOR RESERVOIR  
 PERMITS OR LICENSES  
 STATE OF SOUTH DAKOTA  
 PROPERTY LINE  
 BOUNDARY  
 POWER LINES  
 TRAILING LINES  
 UNIMPROVED LAND

LAND USE & MANAGEMENT PLAN  
 FORT RANDALL RESERVOIR  
 SEGMENT B

DATE OF PREPARED  
 DATE OF REVIEW  
 DATE OF APPROVAL

DATE OF PREPARED  
 DATE OF REVIEW  
 DATE OF APPROVAL

DATE OF PREPARED  
 DATE OF REVIEW  
 DATE OF APPROVAL

EXHIBIT A ATTACHED TO AND MADE  
 PART OF

1508-3

NRORM

2 July 1968

Mrs Beulah Turgeon  
Rosebud, South Dakota

Dear Mrs. Turgeon:

Inclosed for your information and files is a fully executed copy of Easement No. DACW45-2-58-5201 granting right of way for the installation, operation and maintenance of a portable irrigation water pipeline and portable pump unit over, across, in and upon Government-owned lands of the Fort Randall Dam, Lake Francis Case Project, South Dakota, for a period of twenty-five years.

It is requested that you forward to this office your remittance in the amount of \$50.00, as evidenced by the inclosed Bill for Collection.

Sincerely yours,

2 Incls  
As stated

DALE KENT  
Chief, Real Estate Division

cc: Bur Rec, Billings  
SD St Wtr Res Comm  
( ea w/cy incl 1)

Permit No. 1508-3Water Division 3 Missouri River Water District

**REPORT OF EXAMINATION OF WORKS  
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by William Pavlis  
 \_\_\_\_\_ of Lake Andes, S.D. holder \_\_\_\_\_  
 of Permit No. 1508-3, hearing date of priority of February 14, 1968  
 authorizing the diversion of 2.86 cu. ft. per second of the waters of Missouri River  
 for irrigation purposes, in Charles Mix County.

I have to report on the condition of the same as follows:

The Water Use System consists of.

A. Works used to divert the water:

Berkeley centrifugal pump, 6 inch, Model 6 J CW  
 Chrysler Industrial Engine, propane, 108 HP - Model 413

B. Works used to transport water to place of use.

3/4 mile of 10 inch aluminum main line

C. Works used to apply water to beneficial use.

1/2 mile of 10 inch aluminum gated pipe

The system is in the following condition: goodThe point of diversion is located 4200 feet due south of NW Corner of Section 33, T96N, R66WThe works are capable of diverting and conveying to the place of use 2.9cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: all in T96N, R66W

|                                  |                 |                                         |                 |
|----------------------------------|-----------------|-----------------------------------------|-----------------|
| <u>NW 1/4 NW 1/4 Section 33</u>  | <u>40 acres</u> | <u>S 3/4 NW 1/4 SE 1/4, Section 29,</u> | <u>30 acres</u> |
| <u>NE 1/4 NE 1/4 Section 32</u>  | <u>40 acres</u> | <u>S 3/4 NE 1/4 SE 1/4, Section 29</u>  | <u>30 acres</u> |
| <u>SW 1/4 SE 1/4 Section 29,</u> | <u>40 acres</u> |                                         |                 |

comprising a total of 180 acres of land.Date October 14, 1970

Donald Driscoll  
 (Signature)

DONALD DRISCOLL, Deputy Chief Engineer  
 Water Resources Commission

1508-3

**WATER RIGHTS DIVISION  
(605) 773-3352**

June 15, 1983

Elvern Varilek  
Geddes, South Dakota 57342

Dear Mr. Varilek:

This letter is in regard to Water Right No. 1508-3 listed in the name of William Pavlis. I contacted you sometime ago concerning current ownership of the land covered under this Water Right. You indicated that part was now owned by the Yankton Sioux Tribe and part by Agnes Williamson.

I contacted the Realty Office for the BIA, they indicated the land has always been owned by the tribe, but has had different lessors. They further indicated that the land is now being leased to you and since they were not going to be irrigating, the water right should be transferred to you.

Enclosed is a partially completed transfer form to transfer the portions of land in Section 29, T96N, R66W covered by Water Right 1508-3 to your name. Mrs. Agnes Williamson will be contacted concerning the land in Section 32 and 33, T96N, R66W.

Please check over the transfer form, sign, date and have notarized before returning it to this office with a \$2.50 filing fee.

If you have any questions, contact this office.

Sincerely,

Genny McMath  
Water Rights Specialist

GM:ms  
Enc.

1508-3

WATER RIGHTS DIVISION  
(605) 773-3352

June 15, 1983

Mrs. Agnes Williamson  
8765 Schubert Avenue  
Alliance, Nebraska 68001

Dear Mrs. Williamson:

This letter is in regard to Water Right No. 1508-3 listed in the name of William Pavlis, Lake Andes, South Dakota. Water Right No. 1508-3 authorizes irrigation of 200 acres in the SE $\frac{1}{4}$  Section 29; NE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 32 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 33, all in T96N, R66W. The Charles Mix County Assessor's Office indicated that you now own the land covered under the water right in Sections 32 and 33.

The portion of the Water Right covering Sections 32 and 33, should be transferred to your name. The water right will be split and given an "A" number, i.e. 1508-3A. The portion in Section 29 will be left under Permit No. 1508-3.

Enclosed please find a partially completed "notice of transfer". Please check over, date, sign and have notarized before returning the form to this office with a \$2.50 filing fee. That portion of the water right listed in Section 32 and 33, will then be transferred to your name.

Please indicate at the bottom of the transfer form the name and mailing address of your operator or leasor if you have one. The yearly irrigation questionnaire is usually sent to the person operating the system.

If you do not intend to irrigate the land, please notify this office and disregard the transfer form.

If you have any questions, please advise.

Sincerely,

Genny McMath  
Water Rights Specialist

GM:ms  
Enc.



# Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501

Division of Water Rights  
605 773-3352

1508-3

August 17, 1983

Elvern Varilek  
Geddes,  
South Dakota 57342

Dear Mr. Varilek:

This letter is in regard to Water Right No. 1508-3 listed in the name of William Pavlis. As indicated to you in our letter dated June 15, 1983, the land covered under this Water Right is owned by Agnes Williamson and the Yankton Sioux Tribe. The tribe does not want the portion of the Water Right they own transferred to them, as they do not use it. Agnes Williamson submitted a transfer form June 29 for the portion she now owns.

Since the tribe leases the land to you, a transfer form was mailed to you June 15. Several attempts have been made to contact you by phone, but we have been unable to reach you. Under SDCL 46-5-30.3, notice of any sale, grant, lease, conveyance or other transfer of a permit or license to appropriate water issued under the provisions of this title shall be filed with the Chief Engineer within ninety days.

If this office does not hear from you within 30 days of the date of this letter, we will assume the irrigation rights to the land in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  and N $\frac{1}{2}$  SE $\frac{1}{4}$  Section 29, T96N, R66W as described in Water Right No. 1508-3 have been abandoned. Therefore, the entire water right will be transferred to Agnes Williamson. Upon transferring the water right a new license will be issued deleting the land in Section 29. Irrigation of this land will no longer be authorized.

If you intend to irrigate, return the transfer form previously sent to you. If you have mis-placed the form, a new one can be mailed to you upon request.

Sincerely,

GENNY MCMATH  
Water Rights Specialist

GM:ks

10/3/83

*Elvern called - just returned from  
Court and didn't have a chance to mail  
this in - send another form.*

State of South Dakota

Division of No. 1508-3  
into No. 1508-3A & No. 1508-3B

RE-ISSUE OF Water License No. 1508-3A

(1) William Pavlis  
of Lake Andes, South Dakota was issued Water License  
made Application No. 1508-3, October 28, 1970 for a water permit to appropriate  
2.57 cubic feet per second of water from the Missouri River  
Charles Mix County, South Dakota for irrigation purposes.  
Permit No. with a priority date of February 14, 1968  
was approved and intended to provide water for diversion of water with construction of the described  
water supply system to be completed on or before and for the application to beneficial use of said  
water on or before

Land irrigated under Water License No. 1508-3 has been transferred to two new owners.  
Water License No. 1508-3 is being divided and re-issued as No. 1508-3A, Elvern Varilek  
and No. 1508-3B, Agnes Williamson.

Water License No. 1508-3A is being reissued for irrigation of 100 acres in Section 29-  
T96N-R66W and authorizes diversion of 1.43 cfs.

Water License No. 1508-3B is being re-issued for irrigation of 80 acres in portions  
of Sections 32 and 33-T96N-R66W and authorizes diversion of 1.14 cfs.

and  
Water License No. 1508-3A authorizes diversion of  
(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of  
the construction of the water supply system and is entitled to divert 1.43 cubic feet per second of water  
for beneficial use. The location of the diversion point(s) is a point 4200'S of the NW Corner Section 33-  
T96N-R66W (CC)

and

(3) ~~The applicant has complied with the provisions of South Dakota State Law relating to the application of water for beneficial use to the following extent.~~ Water License No. 1508-3A authorizes irrigation of the following land all in Section 29-T96N-R66W

|                                                   |           |      |
|---------------------------------------------------|-----------|------|
| SW $\frac{1}{4}$ SE $\frac{1}{4}$                 | 40 Acres  | (DC) |
| S $\frac{3}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 30 Acres  | (DB) |
| S $\frac{3}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 30 Acres  | (DA) |
| TOTAL                                             | 100 ACRES |      |

(4) Pursuant to §46-5-30.1 Elvern Varilek

of Geddes, South Dakota 57342

Right

the holder(s) and or owner(s) of Water ~~License~~ No. 1508-3A is issued a license to appropriate water, the right to use 1.43 cubic feet per second of water from the Missouri River with a priority date of February 14, 1968

from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation

Right

This license is subject to any limitations or qualifications listed in Water ~~License~~ No. 1508-3 and subject to South Dakota State Law.

  
Chief Engineer, Water Rights Division  
Department of Water and Natural Resources

JOHN HATCH

December 7, 1983

State of South Dakota

Division of 1508-3 into  
No. 1508-3A & 1508-3B

RE-ISSUE OF Water License No. 1508-3B

(1) William Pavlis  
of Lake Andrus, South Dakota was issued Water License  
made Application No. 1508-3 October 28, 1970 for a water permit to appropriate  
2.57 cubic feet per second of water from the Missouri River  
Charles Mix County, South Dakota for irrigation purposes.  
Permit No. \_\_\_\_\_, with a priority date of February 14, 1968  
~~was approved~~  
~~where application was made for the construction of the described~~  
~~water supply system and the construction of the described~~  
~~water supply system and the construction of the described~~

Land irrigated under Water License No. 1508-3 has been transferred to two new owners.  
Water License No. 1508-3 is being divided and re-issued as No. 1508-3A, Elvern Varilek  
and No. 1508-3B, Agnes Williamson.

Water License No. 1508-3A is being re-issued for irrigation of 100 acres in Section 29-  
T96N-R66W and authorizes diversion of 1.43 cfs.

Water License No. 1508-3B is being re-issued for irrigation of 80 acres in portions of  
Sections 32 and 33-T96N-R66W and authorizes diversion of 1.14 cfs.

and

(2) It is certified that ~~the application was approved~~ Water License No. 1508-3B authorizes diversion of  
~~the construction of the water supply system and is restricted to divert~~ 1.14 cubic feet per second of water  
for beneficial use. The location of the diversion point(s) is a point 4200' of the NW Corner  
Section 33-T96N-R66W(CC)

and

(3) ~~The applicant has complied with the provisions of South Dakota State Law relating to the appropriation of water in~~  
 ~~accordance with the following:~~ Water License No. 1508-3A authorizes irrigation of the  
following land all in T96N-R66W

Section 32 NE $\frac{1}{4}$ NE $\frac{1}{4}$  40 Acres (AA)

Section 33 NW $\frac{1}{4}$ NW $\frac{1}{4}$  40 Acres (BB)

TOTAL 80 ACRES

(4) Pursuant to §46-5-30.1 Mrs. Agnes Williamson

of 8765 Schubert Ave., NE, Alliance, OH

the holder(s) and/or owner(s) of Water Right ~~Permit~~ No. 1508-3B is issued a license to appropriate water, the right to use

1.14 cubic feet per second of water from the Missouri River with a priority date

of February 14, 1968 from the location specified in (2) of this license. The water to be

conducted to and upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Water Right ~~Permit~~ No. 1508-3 and subject  
to South Dakota State Law.

John Hatch  
Chief Engineer, Water Rights Division  
Department of Water and Natural Resources

JOHN HATCH

December 7, 1983